

EXHIBIT K

 ORIGINAL

IN THE UNITED STATES DISTRICT COURT
OF DELAWARE

WAYNE VAN SCOY : C.A. NO. 05-108 (KAJ)
:
VS. :
:
VAN SCOY DIAMOND MINE OF :
DELAWARE, INC., KURT VAN :
SCOY and DONNA VAN SCOY :

Oral deposition of WAYNE VAN SCOY,
taken on behalf of the Defendant, in the Law
Offices of BURKE & BURKE, 1460 Wyoming Avenue,
Forty Fort, Pennsylvania, on Tuesday, October 4,
2005, commencing at or about 11:40 a.m., before
Patricia A. Lipski, Registered Professional
Reporter - Notary Public.

LOVE COURT REPORTING, INC.
1500 Market Street
12th Floor, East Tower
Philadelphia, Pennsylvania 19102
(215) 568-5599

Wayne Van Scoy

1 Q. You seem to have a pretty strong opinion that
2 the operation of Kurt's store creates confusion?

3 A. For sure with the internet coming over, yes,
4 absolutely.

5 Q. Let's say without the internet. Does that
6 confusion remain?

7 A. Redacted

8
9 Q. Okay.

10 What evidence does Rings of Romance have
11 that Van Scoy Diamond Mine is famous up and down
12 the East Coast?

13 MR. PETOCK: Can you read that question
14 back.

15 (Whereupon the court reporter read back
16 as follows: "Q. Okay.

17 What evidence does Rings of Romance have
18 that Van Scoy Diamond Mine is famous up and
19 down the East Coast?")

20 THE WITNESS: Meaning me?

21 BY MR. QUINN:

22 Q. You, as president of Rings of Romance, you
23 mentioned on a few occasions they're known up and
24 down the East Coast. How do you know that?

Wayne Van Scoy

1 A. Stores that were leasing the name, the mark,
2 up and down the East Coast, the stock car racing
3 that was advertised, internationally on TV, and re-
4 shown on races. That goes across the country.

5 Q. When were those races shown, what years?

6 A. God, they might fall back -- they might even
7 be playing currently sometimes. You see a race,
8 like you remember that race. It was in 1968. Look
9 at those cars and stuff. I don't know for sure.
10 I'm sure it has. It's in the history books.

11 Q. The history books?

12 A. Yes. Of stock car racing, the history. It's
13 just in the history. Winston Cup Series and stuff.

14 MS. MORGAN: Can we take a couple
15 minutes?

16 (Whereupon a recess was held.)

17 BY MS. MORGAN:

18 Q. We're almost done. I have a couple more
19 questions and we'll wrap this up.

20 We were talking a little bit before
21 about the notoriety along the East Coast of Van
22 Scoy Diamond Mine.

23 Did you ever take a survey of how -- of
24 the notoriety of that mark along the East Coast or